

household-type waste. A substantial portion of the wood waste taken to the Site during this period was incinerated by an air-curtain destructor with the ashes placed on-site. Approximately 12 acres of the 18-acre site were eventually filled.

Consolidated Latex, Inc., formerly located on the south border of the Site, allegedly disposed of latex waste in the southwest corner. In 1971, the Tennessee-American Water Company noted the dumping of latex waste as well as the presence of a strong styrene-like odor during one leachate sampling event. Concern arose because of the proximity of the water company's intake from this leachate stream and alleged latex disposal location. Latex waste is the only industrial waste reportedly disposed at the Site. In May 1971, EPA recommended closure of the Site.

B. Remedial Planning Activities

The State of Tennessee conducted a site visit in July 1979, and noted that the Site was in good overall condition; however, some discoloration of water was observed in one of the drainage ditches. EPA recommended an evaluation of historical water data and further water sampling.

Sampling of a leachate stream indicated the presence of trichloroethylene, vinyl chloride, and 1,2 transdichloroethylene. The Site was finalized on the NPL in September 1983.

A Remedial Investigation (RI) of the Site commenced in July 1987; EPA conducted this RI to determine the nature and general extent of Site contaminants. A Feasibility Study (FS) was also conducted by EPA to evaluate alternatives for Site cleanup. Sampling data from the RI indicated that some surface soils on the Site contained concentrations of Polynuclear Aromatic Hydrocarbons (PAHs) above acceptable health based levels.

On March 30, 1989, EPA issued a Record of Decision (ROD) for the Site which selected a remedy for the contamination detected. The major remedy components selected for the Site consisted of excavation of surface soil and debris, solidification of the surface soil, and groundwater monitoring.

C. Remedial Construction Activities

On-Site excavation of contaminated soil and debris started on August 5, 1993, and the material was shipped off-site for disposal. The excavated material included pieces of creosote ties, asphalt chips, bricks, concrete, contaminated soil and other debris. Excavation was completed on August 5, 1993, and confirmatory cleanup samples were taken. Once the confirmatory samples

indicated that the excavated area no longer contained soil levels over the cleanup goal, the area was then filled with crushed stone for easy identification.

The final inspection was performed on September 2, 1993. The inspection was performed by EPA and Tennessee Department of Environment and Conservation (TDEC) representatives. It was determined that the Remedial Action had been successfully executed.

Confirmatory soil sampling taken before and after the soil removal has demonstrated that contaminant levels in the surface soil are now below the cleanup goal. Results of the sampling can be seen in the August 1993, Remedial Design Report and the September 1993, Remedial Action Report. No Site contaminants have been detected in the groundwater above the levels established in the ROD.

D. Community Relations Activities

The Region 4 Community Relations staff along with the Site project manager conducted an active campaign to ensure that the local residents were well informed about the different activities occurring at the Site. Community relations activities included the development of Community Relations Plans, holding public meetings, and routine publications of progress report fact sheets. Site information was placed at a local repository located in the Chattanooga/Hamilton County Bicentennial Library.

E. Summary of Operation and Maintenance

Since all surface soil above the cleanup goal has been removed, and as no operating systems or containment measures were necessary, Operation and Maintenance (O&M) of the Site is not required. Site Institutional Controls were defined in the Consent Decree to place deed restrictions on the property.

F. How Amnicola meets NPL Deletion Criteria

Section 300.425(e) of the NCP provides that sites may be deleted from the NPL where no further response is appropriate. EPA, in consultation with the State of Tennessee, has concluded that the Amnicola Dump Site meets the following criteria for site deletion:

- (i) Responsible parties have implemented all appropriate response actions required; and
- (ii) All appropriate response under CERCLA has been implemented.

G. State Concurrence To Delete Amnicola Dump Site

EPA, in consultation with the State of Tennessee, has concluded that the Amnicola Dump Site meets the following criteria for site deletion: (1) Responsible parties have implemented all appropriate response actions required; and (2) All appropriate response under CERCLA has been implemented. EPA and the State of Tennessee believe that the above listed criterion for deletion has been met. Subsequently, EPA is proposing deletion of Amnicola Dump Site from the NPL. Documents supporting this action are available from the docket.

Dated: February 7, 1996.

Phyllis P. Harris,

Acting Regional Administrator, U.S. EPA Region 4.

[FR Doc. 96-4032 Filed 2-21-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 300

[FRL-5428-2]

National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete the Gallaway Pits Superfund Site, Fayette County, Tennessee from the National Priorities List (NPL).

SUMMARY: The Environmental Protection Agency (EPA) Region 4 announces its intent to delete the Gallaway Pits Site from the National Priorities List (NPL) and requests public comment on this proposed action. The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended. EPA and the State of Tennessee Department of the Environment and Conservation (TDEC) have determined that the Site poses no significant threat to public health or the environment and, therefore, further remedial measures pursuant to CERCLA are not appropriate.

DATES: Comments must be submitted by March 25, 1996.

ADDRESSES: Comments may be mailed to: Robert West, U.S. Environmental Protection Agency, 345 Courtland Street NE., Atlanta, Georgia 30365.

Comprehensive information on this Site is available for viewing through the site information repositories at the following locations:

Galloway City Hall, 607 Watson Drive, Galloway, TN 38036.

U.S. EPA Record Center, 345 Courtland Street NE., Atlanta, GA 30365.

FOR FURTHER INFORMATION CONTACT:

Robert West, U.S. Environmental Protection Agency, 345 Courtland Street NE., Atlanta, Georgia, 30365, 404-347-3555 EXT. 2033, or 1-800-435-9233, EXT 2033.

SUPPLEMENTARY INFORMATION:

Introduction

The Environmental Protection Agency (EPA) Region 4 announces its intent to delete the Galloway Pits Site from the National Priorities List (NPL), Appendix B of National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300, and requests comments on this deletion. EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as the list of these sites. As described in Section 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for remedial actions in the unlikely event that conditions at the site warrant such action.

EPA will accept comments on the proposal to delete this Site for thirty days after publication of this notice in the Federal Register.

NPL Deletion Criteria

Section 300.425(e) of the NCP provides that releases may be deleted from, or recategorized on the NPL where no further response is appropriate. EPA, in consultation with the State of Tennessee, has concluded that the Galloway Pits Site meets the following criteria for site deletion:

- (i) All appropriate fund-financed response actions have been implemented; and
- (ii) All appropriate response under CERCLA has been implemented.

Even if a site is deleted from the NPL, where hazardous substances remain at the site above levels that allow for unlimited use and unrestricted exposure, EPA's policy is that a subsequent review of the site will be conducted at least every five years after the initiation of the remedial action at the site. If new information becomes available which indicates a need for further action, EPA may initiate remedial actions. Whenever there is significant release from a site deleted from the NPL, the site may be restored

to the NPL without the application of the Hazardous Ranking System.

Deletion Procedures

The following procedures were used for the intended deletion of this Site: (1) EPA Region 4 issued a Final Close Out Report which addressed the Site conditions, quality assurance and control during construction, and technical criteria for satisfying the completion requirements; (2) a notice has been published in the local newspaper and has been distributed to appropriate federal, state, and local officials announcing the commencement of a 30-day public comment period on EPA's Notice of Intent to Delete; (3) All relevant documents have been made available for public review in the local Site information repositories; and TDEC has concurred with the proposed deletion decision.

Deletion of the Site from the NPL does not itself create, alter, or revoke any individual's rights or obligations. The NPL is designed primarily for information purposes and to assist Agency management. As mentioned in Section VI of this Notice, Section 300.425(e)(3) of the NCP states that deletion of a Site from the NPL does not preclude eligibility for future response actions.

For deletion of this Site, EPA's Regional Office will accept and evaluate public comments of EPA's Notice of Intent to Delete before making a final decision to delete. If necessary, the Agency will prepare a Responsiveness Summary to address any significant public comments received.

A deletion occurs when the Regional Administrator places a final notice in the Federal Register. Generally, the NPL will reflect deletions in the final update following the Notice. Public notices and copies of the Responsiveness Summary will be made available to local residents by the Regional office.

Basis for Intended Site Deletion

The following site summary is the Agency's rationale for the proposal to delete Galloway Pits Site from the NPL.

A. Site Background and History

The Galloway Pits Site (five-acres) was extensively mined for sand and gravel, producing a landscape dotted with water-filled pits up to 50 feet deep. Sampling of the pond water and sediments showed elevated levels of pesticides. The groundwater samples did not reveal any contamination; however, potential existed for groundwater contamination because of the types and quantities of waste at the site.

In October 1983, the EPA conducted an emergency cleanup. The cleanup consisted of the excavation and off-site disposal of contaminated sludge and the on-site treatment of the pond water. The treatment process involved the carbon filtration of the pond water to limits established by the Tennessee Department of Health and Environment (TDHE), Division of Water Quality Control.

The Remedial Investigation Report included a sampling program for each of the potentially affected environmental media: surface water, sediment, surface soils, and groundwater. A quantitative risk assessment was performed for various contaminant exposure pathways. Based on the available data and risk assessment assumptions, the exposure pathways presented no unacceptable risks to human receptors. The only unacceptable risk presented by the Site was the potential risk to off-site ecology.

The Record of Decision (ROD) outlined the following selected remedial actions: (1) Dilution of water in ponds 1, 2, and 5 with city water to meet ambient water quality criteria and subsequent discharge to an unnamed tributary of Cane Creek; (2) excavation of contaminated sediments from ponds 2 and 5, and consolidation of these sediments in pond 1; (3) institutional controls, such as fencing around pond 1, restrictions on mining, and methods to ensure that future land uses are compatible with the selected remedy; (4) proper site closure under Subtitle C of RCRA, including capping of pond 1; and (5) operation and maintenance (O&M) activities that include groundwater monitoring and inspection and maintenance of the cap.

B. Remedial Planning Activities

A Remedial Design was performed in the field for the selected actions recommended by the ROD at the Site. Listed below are the design criteria: (1) Determine a kiln dust/sediment ratio for the solidification process; (2) determine the below grade excavation configuration to store the solidified waste; (3) design a RCRA cap over the below grade configuration; (4) determine the safety factor against bearing capacity failure of foundation soils underlying the solidified waste and RCRA cap; (5) perform an effective analysis of foundation soils to check for possible detrimental settlement of RCRA cap; and (6) design a drainage ditch system to collect and route runoff away from the RCRA cap.

C. Remedial Construction Activities

Construction activities were initiated in June 1987 at the site. The construction activities included: (1) Pond water sampling; (2) water evacuation of ponds; (3) solidification and excavation of pond sediments; (4) construction of the RCRA cap; (5) site closure and (6) monitoring well installation.

All of the completion requirements for this site have been met as required by OSWER Directive 9320.2-3C. Confirmatory ground water sampling at the site provides further assurance that the site continues to pose no threat to human health or the environment. The only remaining activity to be performed at the site is minor O&M that is guaranteed by the State of Tennessee.

D. Community Relations Activities

Residents near the Site are aware of activities that have taken place at Gallaway Pits. A public meeting was held on July 21, 1986, to present a summary of the RI/FS process and to explain the proposed remedies for the cleanup of the site. Fact sheets were prepared and distributed to the mailing list. Comments received during the public comment period were addressed in the responsiveness summary of the ROD. Because Gallaway Pits is a companion to the Arlington Blending Site, the residents of the community are kept informed through community relations efforts held concerning the Arlington Blending Site.

E. Summary of Operation and Maintenance

The State of Tennessee will implement the O&M plan that will ensure that the cap remains protective of public health, welfare and the environment. O&M activities will consist of scheduled inspections and periodic maintenance of the exclusion zone and periodic sampling of monitoring wells.

F. How Gallaway Pits Meets NPL Deletion Criteria

Section 300.425(e) of the NCP provides that releases may be deleted from, or recategorized on the NPL where no further response is appropriate. EPA, in consultation with the State of Tennessee, has concluded that the Gallaway Pits Site meets the following criteria for site deletion:

- (i) All appropriate fund-financed response actions have been implemented; and
- (ii) All appropriate response under CERCLA has been implemented.

G. State Concurrence to Delete Gallaway Pits Site

Refer to Attachment I.

EPA, in consultation with the State of Tennessee, has concluded that the Gallaway Pits Site meets the following criteria for site deletion: (1) EPA and the State of Tennessee have implemented all appropriate response actions required; (2) All appropriate response under CERCLA has been implemented; and (3) the confirmation sampling done after the cap was completed shows that the Gallaway Site poses no significant threat to public health or the environment and, therefore, taking of further remedial measures is not appropriate. EPA and the State of Tennessee believe that the above listed criteria for deletion have been met. Subsequently, EPA is proposing deletion of the Gallaway Pits Site from the NPL. Documents supporting this action are available from the docket.

Dated: February 9, 1996.

Phyllis P. Harris,

Acting Regional Administrator, U.S. EPA Region 4.

[FR Doc. 96-4031 Filed 2-21-96; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 2, 21 and 94

[ET Docket No. 95-183; PP Docket No. 93-253; DA 96-144]

Fixed Point-to-Point Microwave Service; 37.0-38.6 GHz and 38.6-40.0 GHz Bands and Implementation of Section 309(j) of the Communications Act—Competitive Bidding

AGENCY: Federal Communications Commission.

ACTION: Proposed Rule; extension of time.

SUMMARY: The Commission grants an extension for filing comments and reply comments in this proceeding on licensing and technical rules for fixed point-to-point microwave operations in the 37.0-38.6 GHz and 38.6-40.0 GHz bands. This action is taken due to the complexity of the issues raised in the NPRM and Order in ET Docket No. 95-183 and PP Docket No. 93-253, FCC 95-500, (January 26, 1996). The intended effect is to allow applicants an extended period of time in which to address the issues presented in the NPRM and Order.

DATES: Comments are to be filed on or before March 4, 1996 and reply comments on or before April 1, 1996.

ADDRESSES: Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

FOR FURTHER INFORMATION, CONTACT: Jennifer Burton, Private Wireless Division, (202) 418-0680.

SUPPLEMENTARY INFORMATION:

1. This is a synopsis of the Commission's Order, DA 96-144, adopted February 9, 1996 and released February 9, 1996. The complete text of this document is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. 20554, and may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, NW, Washington, D.C. 20037.

2. By this action, we grant a second extension of time in which to file comments and reply comments in this proceeding. Three parties—GHZ Equipment Company, Inc. ("GEC"), Winstar Wireless Fiber Corporation ("WinStar"), and Fixed Point-to-Point Communications Section, Network Equipment Division of the Telecommunications Industry Association ("TIA")—had requested additional time in response to an Order Extending Time released on January 16, 1996. See 61 FR 2465 (January 26, 1996).

3. By way of background, on January 16, 1996, the Office of Engineering Technology, on its own motion, extended the period of time to file comments and reply comments to February 12, 1996 and February 27, 1996, respectively, because of the closure of the government from mid-December to mid-January due to lack of funding and severe weather conditions. Thus, the following motions for extension of time received by the Commission on or before January 16, 1996, were mooted by the January 16 Order Extending Time: Advanced Radio Technology, Ltd. Motion for Extension of Time (filed January 11, 1996); AT&T Corporation Comments in Support of the Motion for an Extension of Time to File Comments and Reply Comments (filed January 16, 1996); BizTel, Inc. Motion for Extension of Time (filed January 11, 1996); Commco, L.L.C., PLAINCOM, INC., Sintra Capital Corporation, James W. O'Keefe, and Eric Sterman Motion for Extension of Time to File Comments (filed January 16, 1996); Digital Microwave Corporation ("DMC") Motion for Extension of Time (filed January 11, 1996); DMC Motion for Extension of Time (filed January 16, 1996); Thomas Domencich, Milliwave Limited Partnership, Columbia Capital